

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - FLINT

UNITED STATES OF AMERICA,
Plaintiff(s),

CASE NO.: 05-CR-50047-FL

vs.

HON. PAUL V. GADOLA
MAG. JUDGE WALLACE CAPEL

MICHAEL DENDY,
Defendant(s),

_____ /

ORDER DENYING DEFENDANT'S
MOTION FOR MODIFICATION OF BOND CONDITIONS

This matter came before the Court for hearing on the Defendant's Motion For Modification Of Bond Conditions, filed on October 25, 2005, [D/E # 11].

The Defendant is seeking to be released only for the purpose of being placed on a work release program so that he may be able to retain his employment with Delphi Corporation during the pendency of this matter. The Defendant is currently being housed at the Genesee County Jail.

Having considered the motion, the Court is not inclined to agree to a work release for this Defendant. As noted in the Defendant's motion, the federal court does not have a work release program in place for defendant's being detained pending trial. More importantly however, the Defendant has a criminal history that dates back to 1995, with convictions for possession of marijuana, as well as a conviction for possession with intent to deliver marijuana. The instant offense appears to have been committed while the Defendant was under the supervision of the Michigan Department of Corrections. He also has admitted to using both marijuana and cocaine.

The Defendant's previous criminal history, coupled with his failure to comply with previously imposed court orders indicates that he would not be a suitable candidate for release on bond in this matter.

Accordingly, the Order of Detention entered on September 23, 2005, shall remain in effect. The Defendant's motion for modification of bond conditions is hereby **DENIED**.

IT IS SO ORDERED.

The parties are hereby informed that any objections to this order must be filed with the district court within ten days after service, pursuant to Rule 72(a), Federal Rules of Civil Procedure.

DATED: November 8, 2005

s/ Wallace Capel, Jr.
WALLACE CAPEL, JR
United States Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that on **November 8, 2005**, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following: **Robert W. Haviland, AUSA,** and I hereby certify that I have hand delivered/ mailed by United States Postal Service the paper to the following non-ECF participants: **Kevin L. Rush, 934 Church St., Flint, MI 48502, United States Marshal, 600 Church St., Flint, MI, Pretrial Services Officer, 600 Church St., Flint, MI.**

s/ James P. Peltier
James P. Peltier
Courtroom Deputy Clerk
U.S. District Court
600 Church St.
Flint, MI 48502
810-341-7850

